

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

11 UNITED STATES OF AMERICA,)	No. CR 09-00641 SBA
)	
12 Plaintiff,)	ORDER GRANTING STIPULATED
)	REQUEST TO CONTINUE HEARING
13 v.)	DATE TO OCTOBER 20, 2009 AND TO
)	EXCLUDE TIME UNDER THE SPEEDY
14 GARY MUSCADINE,)	TRIAL ACT
)	
15 Defendant.)	Date: September 22, 2009
)	Time: 9:00 a.m.
16)	Court: Hon. Sandra Brown
)	Armstrong
17)	

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19 The parties jointly requested that the hearing in this matter be continued from September

20 22, 2009 to October 20, 2009, and that time be excluded under the Speedy Trial Act between

21 September 22, 2009 and October 20, 2009 to allow for the effective preparation of counsel,

22 taking into account the exercise of due diligence, and continuity of defense counsel. The

23 government has produced discovery and defense counsel has been reviewing that discovery. In

24 addition, the parties are seeking to arrange a time when the defense can view the physical

25 evidence collected in this case. The defense needs additional time to review discovery, perform

26 investigation, and discuss the case with the defendant. Defense counsel will be commencing a

27 three week trial on September 28, 2009. For these stated reasons, the Court finds that the ends of

28 justice served by granting the continuance outweigh the best interests of the public and defendant

STIP. REQ. TO CONTINUE HEARING DATE TO OCTOBER 20, 2009 AND TO EXCLUDE TIME
No. CR-09-00641 SBA

1 in a speedy trial. Good cause appearing therefor, and pursuant to 18 U.S.C. §§ 3161(h)(7)(A)
2 and (B)(iv),

3 **IT IS HEREBY ORDERED** that the status hearing in this matter is continued from
4 September 22, 2009 to October 20, 2009 at 9:00 a.m., and that time between September 22, 2009
5 and October 20, 2009 is excluded under the Speedy Trial Act to allow for the effective
6 preparation of counsel, taking into account the exercise of due diligence, and continuity of
7 defense counsel.

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9 DATED: 9/22/09


10 HON. SAUNDRA BROWN ARMSTRONG
11 United States District Judge
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